

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----X  
Markel Nance )

)  
)  
Plaintiff, )

)  
v. )

) Civil Action No. 9:18-cv-398 (DNH/DEP)  
)

)  
Jeff Nabozny, Eugene Raimo, James Huntington )  
Robert Gregory, D. Jackson, "John" Byers and )  
Christopher Miller, each individually and as )  
Officers, a Sergeant, Nurse and Superintendent )  
Of the New York State Department of )  
Correction and Community Supervision, )  
each acting in their Official )  
Capacities. )  
-----X

STATUS REPORT

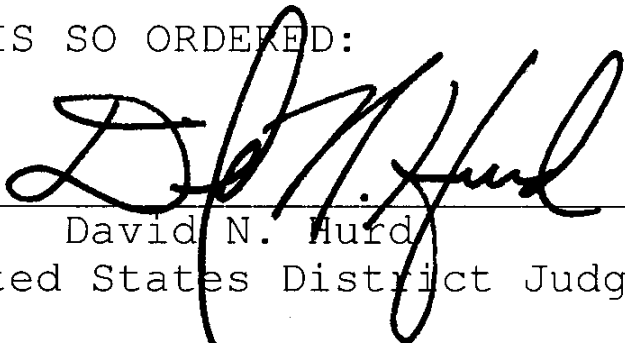
A telephone status conference was originally scheduled for 3:00 P.M. on 11/20/18. I have conferred with my adversary, Assistant Attorney General William A. Scott. Subject to the court's approval we would ask that the conference be adjourned until after the 1<sup>st</sup> of the year.

We advise the court of the following:

- 1) Plaintiff is discontinuing his claim against defendant D. Jackson and will consent to dismissal of same;
- 2) All documentary evidence now known to exist has been exchanged;
- 3) No joinder of parties is taking place;
- 4) We will confer before the end of the year to set up a series of deposition dates;
- 5) There are no motions now known to be necessary; the discovery process as it unfolds could trigger motions but we are not at that stage.

Respectfully yours,  
James P. Harding

IT IS SO ORDERED:

  
\_\_\_\_\_  
David N. Hurd

United States District Judge

Dated: November 20, 2018

Utica, NY

Upon discontinuance by plaintiff, Defendant D. Jackson is hereby dismissed from this action with prejudice.